

LAW OFFICE OF JAY R. YABLON

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910 Northumberland Drive
Schenectady, New York 12309
Tel/Fax: 518-377-6737
Email: jyablon@nycap.rr.com

FACSIMILE COVER PAGE

| | |
|--|-----------------------------|
| To: Jiping Lu | From: Jay R. Yablon |
| Fax #: 17037464565 | Fax #: 518-377-6737 |
| Company: USPTO Art Unit 3749 | Tel #: 518-377-6737 |
| Subject: Copy of IDS filed with issue fee for 10/070,293 | |
| Sent: 3/7/2004 at 2:37:58 PM | Pages: 16 (including cover) |

MESSAGE:

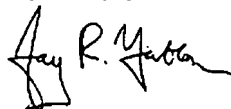
Dear Examiner Lu:

As discussed, I attach the fourteen (14) pages I filed by facsimile to USPTO BOX ISSUE FEE on January 16, 2004, which included the information disclosure of a reference that had come to applicants' attention shortly before paying the issue fee. This includes the \$180 fee required under 37 CFR 1.17(p).

Also attached on the final sheet is a copy of the RightFAX receipt confirming receipt of all of these fourteen (14) pages on January 16, 2004.

I would appreciate if you could make sure this new reference is considered prior to issuing the patent.

Very truly yours,



Jay R. Yablon, Registration # 30604

CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax Number 17037464565 on the transmission date of 3/7/2004, pursuant to 37 C.F.R. 1.8

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(signature)

USPTO 1/16/2004 3:37 PM PAGE 1/001 Fax Server
 TO: Auto-reply fax to 518-377-6737 COMPANY:

Auto-Reply Facsimile Transmission



TO: Fax Sender at 518-377-6737

Fax Information

Date Received: 1/16/2004 3:29:55 PM [Eastern Standard Time]
 Total Pages: 14 (including cover page)

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Received
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|---|---|----------------------------------|--|--------------|--|
| 518-377-6737 From: Jay R. Yablon To: USPTO Box ISSUE FEE of USPTO | | Date: 1/16/2004 Time: 3:30:04 PM | | Page 1 of 14 | |
| ZILKPOORNAL | | | | | |
| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE | | | | | |
| Serial Number: | 10076203 | | | | |
| Filing Date: | March 5, 2002 | | | | |
| Applicant(s): | Zilla et al. | | | | |
| Title: | Device, System and Method for On-Line Explosive Denegging | | | | |
| Group Art Unit: | 3749 | | | | |
| Examiner: | Jiping Lu | | | | |
| Information Disclosure Statement and Inventor's Declaration | | | | | |
| Commissioner for Patents P.O. Box 1410 Alexandria, VA 22313-1410 | | | | | |
| Dear Sir: | | | | | |
| <p>Attached is a completed substitute form PTO-1459A (1 sheet patent document), the foreign patent reference cited therein, and an English language translation thereof. This is being submitted simultaneously with the payment of the issue fee, and is governed by the provisions of MPEP 609.01(a)(2). Attached also is the issue fee transmittal (part II), and a credit card payment form for \$645, consisting of the \$605 issue fee plus the \$180 fee for submission of an information disclosure statement set forth in 37 CFR 1.37(a).</p> <p>Pursuant to 37 CFR 1.97(c)(2), I hereby certify and declare that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(e) more than three months prior to the filing of the statement.</p> <p>The reference disclosed herein, JP H4-155200A, dated May 28, 1991, recites a cooled explosive tube very similar to those disclosed in US 2,840,365 issued June 24, 1959 and in LU 41977 published August 30, 1968, each of which are already of record in this case and each of which is discussed extensively in the applicant's disclosure. Indeed, if one compares Figures 2 and 3 of JP H4-155200A with the drawings of US 2,840,365 and LU 41977, it is apparent that JP H4-155200A is little more than an attempt to improve on these earlier cooling tubes. JP H4-155200A, similarly to US 2,840,365 and LU 41977, is a fixed-position, non-mobile cooling tube that is "set at a predetermined place." It does not disclose or suggest or controls applicant's claimed invention for any of the same reasons set forth in applicant's disclosure vis-à-vis US 2,840,365 and LU 41977.</p> <p>Applicant therefore looks forward to receiving confirmation of the consideration of this reference by Examiner Lu, and to the issuance of a patent over this reference soon thereafter.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made are information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>Very truly yours,</p> <p><i>Jay R. Yablon</i></p> <p>Jay R. Yablon Registration # 36604</p> | | | | | |
| CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8 | | | | | |
| <p>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office Fax Number 518-377-6737 on the transmission date of <u>January 16, 2004</u> pursuant to 37 CFR 1.8.</p> <p>Name of Person signing this certificate: <u>Jay R. Yablon</u></p> <p><i>Jay R. Yablon</i></p> <p>(signature)</p> | | | | | |
| PAGE 1/14 * RCVD AT 1/16/2004 3:29:55 PM * REMITTING STATION: THEM * SVR:USPTO-EPXRF-20 * DNIS:7464565 * CSID:518-377-6737 * DURATION (mm-ss):09:08 | | | | | |

PART B - FEE(S) TRANSMITTAL

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INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

27949 7590 10/20/2003

LAW OFFICE OF JAY R. YABLON
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SCHENECTADY, NY 12309-2814

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

| | |
|----------------------|--------------------|
| Jay R. Yablon | (Depositor's name) |
| <i>Jay R. Yablon</i> | (Signature) |
| January 16, 2004 | (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/070,293 | 03/05/2002 | Francis Zilka | ZILKP008NAT | 4336 |

TITLE OF INVENTION: DEVICE, SYSTEM AND METHOD FOR ON-LINE EXPLOSIVE DESLAGGING

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|----------------|-----------------|------------------|------------|
| nonprovisional | YES | \$665 | \$0 | \$665 | 01/20/2004 |
| EXAMINER | ART UNIT | CLASS-SUBCLASS | | | |
| LU, JIPING | 3749 | 122-379000 | | | |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Jay R. Yablon

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

NorthAmerican Industrial Services, Inc.

Ballston Spa, New York

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☐ Advance Order - # of Copies _____

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☐ A check in the amount of the fee(s) is enclosed.☒ Payment by credit card. Form PTO-2038 is attached.

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Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

Jay R. Yablon

(Date)

January 16, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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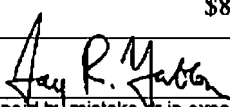
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| <input checked="" type="checkbox"/> Patent Fee | <input type="checkbox"/> Patent Maintenance Fee | <input type="checkbox"/> Trademark Fee | <input type="checkbox"/> Other Fee |
| Application No. 10/070,293 | Application No. | Application No. | IDON Customer No. |
| Patent No. | Patent No. | Registration No. | |
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